IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 18TH DECEMBER 2007 / 27TH AGRAHAYANA 1929

Crl.Rev.Pet.No. 4541 of 2007()

AGAINST THE ORDER DATED 29/11/2007 IN CMP 2886/2007 IN CC.527/2003 of JUDL.MAGISTRATE OF FIRST CLASS-I, MUVATTUPUZHA

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REVN. PETITIONER: PETITIONER

KASIM RAVUTHER, S/O. HAJI MEERANNAN RAVUTHER, PADINJAREKUDY PUTHENPURAYIL, RAMAMANGALAM KARA, MARADY VILLAGE, MUVATTUPUZHA TALUK.

BY ADV. SRI.H.SIVARAMAN
SRI.MATHEW CHERIAN

RESPONDENTS: COUNTER PETITIONER

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1. MOHANAN PILLAI, S/O. PRABHAKARA PILLAI, KALLUNKAL HOUSE, KUDAYATHOOR KARA, KUDAYATHOOR VILLAGE, THODUPUZHA TALUK.

2. STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI. K.S. SIVAKUMAR, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 18/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR , J

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CRL.R.P. NO.4541 of 2007

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Dated this the 18th day of December, 2007.

ORDER

The petitioner, who is the complainant in a private complaint taken cognizance of by the Judicial First Class Magistrate, Muvattupuzha as C.C. No. 527/2003 alleging offences punishable under Sections 447, 379 and r/w Section 34 IPC, filed C.M.P. No. 2886/2007 seeking a stay of the proceedings till the disposal of R.F.A. No. 430/2006 filed by the revision petitioner and pending before this Court. The apprehension of the revision petitioner was that the criminal court would decide the matter against him in the light of the findings rendered by the civil court. The said apprehension is quite unfounded. The criminal court will have to decide the case independently of the findings rendered by the civil court. In any view of the matter the proceedings before the criminal court cannot be stayed till the final outcome of the proceedings before the civil court. I, therefore, do not find any ground to interfere with the impugned order. This revision is accordingly dismissed with the above observation.

V. RAMKUMAR, JUDGE.

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